

Justice Reinvestment Advisory Council
Meeting Minutes
November 18, 2016

The Justice Reinvestment Advisory Council met at the Indiana State Bar Association Conference Center, One Indiana Square, Indianapolis, IN, from 9:00 a.m. – 10:00 a.m.

- 1. Members present.** The following members of the Justice Reinvestment Advisory Council were present: Kristen Casper, proxy for the Executive Director of the Indiana Public Defender Commission; Dan Miller, proxy for the Executive Director of the Indiana Prosecuting Attorneys Council; Kevin Moore, Director of the Division of Mental Health and Addiction; Julie Lanham, proxy for the Commissioner of the Indiana Department of Correction; David Murtaugh, Executive Director of the Indiana Criminal Justice Institute; Chris Cunningham, proxy for the President of the Indiana Association of Community Corrections Act Counties; Christine Kerl, proxy for the President of the Probation Officer's Professional Association of Indiana; Steve Luce, proxy for the President of the Indiana Sheriffs Association; and Jane Seigel, Executive Director of the Indiana Office of Court Services and Council Chair.
- 2. Guests present.** The following guests also attended the meeting: Debbie Braun and Jon Ferguson from the Indiana Department of Correction; Adam McQueen from the Probation Officers Professional Association of Indiana; Terry Cook from the Division of Mental Health and Addiction; Steve McCaffrey from Mental Health America of Indiana; Cindy McCoy from Grant Correctional Services, Trent Glass from the Indiana House of Representatives; Lisa Thompson and Dave Williams from Trial Court Technology; Joshua Ross from the Indiana Criminal Justice Institute; and Hilary Alderete and Kristin Bansbach from State Budget Agency.
- 3. Staff assistance.** Mary Kay Hudson and Michelle Goodman provided staff assistance to the Advisory Council.
- 4. Approval of minutes.** The minutes from the October 20, 2016 meeting were unanimously approved.
- 5. DOC Population Report.** Jane Seigel asked members for comments on the DOC population report. None were given and there was no discussion on the report.
- 6. Update from DOC- Remaining grant recommendations.** Julie Lanham recommended that the HEA 1006 funded pretrial pilots not be automatically put into base grant funds, but that counties should be required to reapply for pretrial funds annually. Ms. Lanham expressed support for the pretrial pilot and how

funding the pilots correlates to EBDM. Debbie Braun distributed the FY 2017 \$2M Grant Recommendations and the FY 2018 DOC grant application (see attached documents). Julie Lanham recommends funding the EBDM counties EBDM activities as base funds with the exception of pretrial. Ms. Lanham reported that DOC will not fund the Bridge device or naloxone from these proposals because there are other funding sources for those requests. Ms. Lanham recommends funding Allen County's request for mental health assessments as those services are not covered under Recovery Works. The total funding recommendation is \$1,073,800. Ms. Lanham reported that the EBDM pretrial expectations will be included in the local grant agreements. Mary Kay Hudson reported that no counties have objected to the pretrial expectations documents.

Kevin Moore moved that the pretrial county funding not be included in the county's funding base and that the pretrial counties must include the pretrial expectations in their grant agreements. Steve Luce seconded the motion. All members voted in favor; none opposed the motion. Chris Cunningham abstained from the vote as it relates to the Grant County application.

Debbie Braun provided an overview of the FY 2018 grant application and reported that the application is due January 31, 2017. Council members may provide DOC with recommendations on the application by November 22. DOC will send the application out to the counties on November 23. Council members agreed that the collaboration plan must include any entity that is requesting or receiving grant money. Christine Kerl asked DOC to make sure that language goes into the grant application as they have previously only included probation and community corrections. Debbie Braun reported that DOC's FY 2018 HEA 1006 budget \$25M with the total community corrections annual request at \$72M. Council members discussed that a majority of funding for FY 2018 next years will be base funding, but some of the funding may need to be revisited if the programs are not working. Hilary Alderte noted that the counties will also have their project income from programs.

- 7. Update from DMHA.** Kevin Moore reported that DMHA is meeting with IPLA to discuss using their listserv to send letters to Licensed Clinical Addiction Counselors encouraging them to enroll as Recovery Works providers.

Terry Cook explained the written Recovery Works report (attached). Terry reported that probation officers are the most frequent responders to the Recovery Works survey and encouraged the other stakeholders to reach out to their constituents to complete the survey. Kevin Moore reported DMHA is targeting \$14M per year for services based upon current spending rates. Mr. Moore reported there are now 73 Recovery Works providers. DMHA issued an RFP out for the jails to connect those awaiting trial with resources, DMHA

anticipates allocating \$6M for these services and expects up to 12 applications under the jail based RFP to improve reentry into the community by providing assessment and case management during the transition. The funds will be used to pay for provider services and for jail services under a voucher system. Mr. Moore reported that the jail-based transition services will be included in the evaluation and jails will be asked to provide data. Steve Luce reported that the Indiana Sheriff's Association has encouraged sheriffs to take part in this opportunity.

8. Legislative Committee Update/discussion/abstract information.

Lisa Thompson reported that since the October meeting she spoke with Jack Hendrix to discuss billing issues connected to abstracts not being completed by the court. Ms. Thompson reported that Court Technology completed a gap analysis of Level 6 felony abstracts in Odyssey and that Mary Willis, (Chief Administrative Officer, Office of Judicial Administration) contacted courts with lowest rates of completion. Ms. Thompson reported that many of the counties were not aware they needed to complete abstracts on Level 6 felons and the courts are eager to get into compliance. Ms. Thompson reported that 18 counties have never billed for a Level 6 felony and only five counties have billed for medical services since January 1, 2016. Steve Luce will reach out to these counties to ensure they are aware that they know they can bill DOC. Mary Willis will provide the courts a list of Level 6 cases so that the county can submit a bill to DOC. Council members discussed the importance of completing the abstracts to ensure the statewide abstract data is completed and the importance of counties billing for Level 6 jail commitments and medical expenses. Members discussed that some sheriffs may not be billing because the DOC funds do not directly fund jail services and that the DOC funding may no longer be allocated for this purpose if it is not being used. Jack Hendrix reported that he frequently communicates with jail staff to educate them on the billing process and that DOC has been flexible in allowing counties to bill for older cases. Steve Luce stressed the importance of educating the companies providing medical services to the local jails on billing procedures. Steve Luce reported that sheriffs have been reimbursed over \$4M under HEA 1269 which indicates the statute is working and sheriffs should continue to enroll inmates in Medicaid.

Jane Seigel reported that the data work group is working on a possible legislative change. Ms. Seigel asked the members to review the proposed replacement text for IC 33-38-9.5-1(K) (attached) and provide feedback to Cindy McCoy or Michelle Goodman as soon as possible. Cindy McCoy advised members that the information on this document is what the counties have said they can collect. Members agreed that the recidivism information should be categorized as "if available" due to variation in what data is available to the counties. Chris Cunningham moved to approve the language in concept with only minor changes

based upon this group's feedback, David Murtaugh seconded the motion. All members voted in favor, no opposed.

Steve Luce stated he would like to get sheriffs to revise the jail service report to be consistent with reporting information that we think is important. Jane Seigel agreed asked Mr. Luce to advise members if there is anything the council may do to assist.

Jane Seigel adjourned the meeting at 10:06 am.

9. **Next meetings.** Jane Seigel announced that the Advisory Council will meet on December 15, 2016 at 10:00 a.m. - 12:00 p.m. at the Indiana Office of Court Services.

Respectfully submitted,

Mary Kay Hudson, Deputy Director
Indiana Office of Court Services